

# CLAIMS RESOLUTION TRIBUNAL

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In re Holocaust Victim Assets Litigation  
Case No. CV96-4849

## **Certified Award**

to Claimant Catherine Suzanne Pierrette Levy-Lambert

### **in re Account of Paul Lazard**

Claim Number: 223084/JT

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Catherine Suzanne Pierrette Levy-Lambert, née Lazard, (the “Claimant”) to the account of Paul Lazard (the “Account Owner”) at the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form identifying the Account Owner as her father, Paul Joseph Lazard, who was born on 14 December 1902 in Paris, France, and was married to Marianne Hortense George Lazard, née Bernard, on 12 November 1931 in Paris. The Claimant indicated that her parents had two children: the Claimant and her sister, Martine Suzanne Pierrette Higonet, née Lazard, who was born on 22 March 1933 in Paris. The Claimant stated that her father, who was Jewish, was an engineer and lived with his family at 1 rue d’Anjou in Paris between 1931 and 1939. The Claimant further stated that in 1941 her father and his family fled France for the United States, where they lived until 1947, at which time they returned to Paris. The Claimant indicated that her father died on 26 December 1979 in Louveciennes, France, and that her mother died on 29 June 1993 in Croissy sur Seine, France. In support of her claim, the Claimant submitted a family tree, copies of her parents’ marriage certificate and her own and her sister’s birth certificates. The Claimant stated that she was born on 4 April 1936 in Paris.

### **Information Available in the Bank's Record**

The Bank’s record consists of an extract from a bank ledger showing accounts, as of 31 October 1945, that were transferred to the [REDACTED] when it acquired the Bank. According to this record, the Account Owner was Paul Lazard who resided in Paris, France. The Bank’s record indicates that the Account Owner held an account of unknown type, numbered 30972. The Bank’s record does not show when the account at issue was closed or to whom it was paid, nor

does this record indicate the value of this account. The auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) did not find this account in the Bank’s system of open accounts, and they therefore presumed that it was closed. These auditors indicated that there was no evidence of activity on this account after 1945. There is no evidence in the Bank’s record that the Account Owner or his heirs closed the account and received the proceeds themselves.

## **The CRT’s Analysis**

### Identification of the Account Owner

The Claimant’s father’s name, Paul Joseph Lazard, matches the published name of the Account Owner. The Claimant identified her father’s city of residence as Paris, France, which matches published information about the Account Owner contained in the Bank’s record. In support of her claim, the Claimant submitted documents, including a family tree, copies of her parents’ marriage certificate, her father’s birth certificate and her own birth certificate, issued in Paris, identifying her father, a person with the same name and with the same city of residence as the Account Owner recorded in the Bank’s records. The CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, and that he lived in France before fleeing to the United States in 1941.

### The Claimant’s Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents demonstrating that she is his daughter. The Claimant indicated in her Claim Form that she has a sister, Martine Suzanne Pierrette Higonnet, née Lazard, but stated in correspondence with the CRT, dated 21 September 2002, that she does not wish to represent her in these proceedings. The CRT notes that Martine Suzanne Pierrette Higonnet, née Lazard, has not filed a claim to her father’s account.

### The Issue of Who Received the Proceeds

Given that the account survived the Second World War, that the Account Owner and his heirs would not have been able to obtain information about the account from the bank after the war due to the Swiss banks’ practice of withholding or misstating account information in their responses to inquiries by account owners because of the banks’ concern regarding double liability, and the application of Presumptions (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”) (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or his heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the

determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

#### Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules. Second, the Claimant has plausibly demonstrated that the Account Owner was her father, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed account.

#### Amount of the Award

In this case, the Account Owner held one account of unknown type. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the present value of the account being awarded. Based on the ICEP Investigation, in 1945 the average value of an account of unknown type was 3,950.00 Swiss Francs. The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of 49,375.00 Swiss Francs.

#### **Scope of the Award**

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claim to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

#### **Certification of the Award**

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal  
July 15, 2003